

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Michael Hanson

v.

Civil No. 13-fp-23

William Wrenn, Commissioner,
New Hampshire Department of
Corrections

O R D E R

Michael Hanson has filed a document (doc. no. 1) seeking an extension of the time limit for filing a federal habeas petition challenging his state conviction and sentence. The court construes the filing (doc. no. 1) as intending to initiate, and then stay, a petition for a writ of habeas corpus.

The petition, at this time, is insufficient to state a claim for habeas relief. Hanson asserts that he is in the process of exhausting in the state courts the claims that he intends to raise in this petition, should the state court litigation be unsuccessful. Accordingly, the court stays the matter to allow Hanson to exhaust his claims.

Hanson is directed to notify this court, in writing, of the status of the state court proceedings, every ninety days until the New Hampshire Supreme Court ("NHSC") issues a final decision

on his claims. Hanson must file his first such status report in this court ninety days from the date of this order.

Once the NHSC has issued a final decision in this matter, Hanson must notify this court of that decision within thirty days of the date of the decision. At that time, Hanson must also file:

- a) a motion to lift the stay in this matter;
- b) an amended petition setting forth each federal habeas claim he intends to raise in this action and the grounds upon which each such claim is based; and
- c) documents, to be filed as exhibits to his amended petition in this court, which demonstrate that he has exhausted his state court remedies for each of his claims for federal habeas relief. Such exhibits shall include the notice of appeal filed in the NHSC and all briefs, motions, superior court orders, and NHSC orders that are part of the record of any NHSC appeal or petition, which show that Hanson has presented each of his federal claims to the NHSC.

Hanson's failure to comply with this order may result in a recommendation that the petition be dismissed for failure to

exhaust, or for failure to state a claim upon which relief can be granted.

SO ORDERED.



Landya McCafferty
United States Magistrate Judge

January 25, 2013

cc: Michasel Hanson, pro se

LBM:jba